

Remarks

This communication is considered fully responsive to the Office Action. Claims 1-21 were examined. Claims 1-21 stand rejected. No claims are amended. No claims are canceled. No new claims have been added. Reexamination and reconsideration of the pending claims are respectfully requested.

Claim Rejections - 35 U.S.C. 102(e)

The Office Action rejected claims 1-5 and 9-14 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,601,456 to Davidson, et al. (“Davidson”). Applicant respectfully traverses this rejection.

Davidson is not available as prior art under Section 102(e), as supported by the Rule 1.131 Declaration, attached. Therefore, Applicant believes the rejection is moot. However, Applicant makes no admissions as to the propriety of the rejection and expressly reserves the right to traverse the reference on substantive grounds if this or a similar rejection is maintained in a subsequent Office Action.

Claim Rejections - 35 U.S.C. 103(a)

The Office Action rejected claims 1, 7, 8, 12, and 15-20 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,732,591 to Miles, et al. (“Miles”) in view of Davidson. Applicant respectfully traverses this rejection. The Office Action rejected claim 6 under 35 U.S.C. 103(a) as being unpatentable over Davidson in view of U.S. Patent No. 7,233,476 to

Goldenberg, et al. (“Goldenberg”). The Office Action rejected claim 21 under 35 U.S.C. 103(a) as being unpatentable over Miles in view of Davidson, still further in view of U.S. Patent No. 6,442,534 to Au, et al. (“Au”).

Davidson is not available as prior art, as discussed above. Xie is also not available as prior art, as supported by the Rule 1.131 Declaration. Therefore, Applicant believes these rejections are moot. See MPEP 715.02(I) with regard to a combination of references. However, Applicant makes no admissions as to the propriety of the rejection and expressly reserves the right to traverse the references on substantive grounds if this or a similar rejection is maintained in a subsequent Office Action.

Conclusion

The Applicant respectfully requests that a timely Notice of Allowance be issued in this matter.

Respectfully Submitted,

Dated: 7-7-08

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